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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Robert Burgueier, Richard Goodin, Joseph Delaney Jr, Larry Peterson
Application No.:	10/772477
Filed:	February 5, 2004
For:	MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME
Examiner:	CHRISTOPHER BRUENJES
Group Art Unit:	1772
Firm Docket No.:	S63.2H-11462-US01

DATE: May 16, 2007 **TIME: 9:02 a.m.** **FACSIMILE NO.: 571-273-8300**

TOTAL NUMBER OF PAGES (including transmittal letter): 4

FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 3 page Preliminary Amendment; and 1 page Facsimile Transmittal Letter.

With respect to fees: No additional fee is believed to be required
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Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

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Respectfully submitted,
VTDAS, ARRETT & STEINKRAUS

Date: May 16, 2007

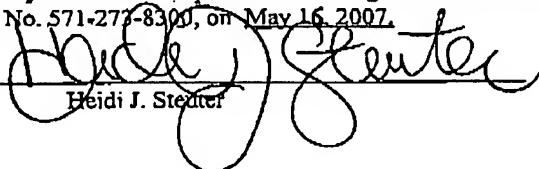
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2H-11462-US01

PRELIMINARY AMENDMENT

Before beginning examination and calculating the fees in this application,
please amend the above-identified application as indicated below: